

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*L. Park*  
*11-8-01*  
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*Andt. A*

Applicants: Roger J. Talish and Alan A. Winder  
Serial No.: 09/574,461 Group Art Unit: 3736  
Filed: May 18, 2000 Examiner:  
For: APPARATUS AND METHOD FOR ULTRASONICALLY  
AND ELECTROMAGNETICALLY TREATING TISSUE

Commissioner for Patents  
Washington, D.C. 20231

Attorney Docket No. 41482/205541  
Date: October 15, 2001

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SEP 24 2001  
TECHNOLOGY CENTER 3700

PRELIMINARY AMENDMENT

Sir:

Please amend the above-identified patent application as indicated below.

In the Claims

Please amend the claims as follows:

23. (Amended) The method according to claim 19, wherein said step of exciting said at least one electromagnetic coil creates a non-uniform modulating force.

24. (Amended) An apparatus for providing ultrasonic and electromagnetic stimulation to a treatment area, said apparatus comprising:

means for generating and propagating a pressure wave towards said treatment area;

means for generating an electromagnetic field to modulate said pressure wave;

and

control means for controlling one or more properties of said pressure wave at respective times.

10/22/2001 MWOLDER1 00000026 09574461

01 FC:103

72.00 DP

Repln. Ref: 10/22/2001 MWOLDER1 0016475500

DAH:110855 Name/Number:09574461

FC: 704

\$4.00 CR

Please type a plus sign (+) inside this box → ☒

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/574,461
Filing Date	May 18, 2000
First Named Inventor	Talish
Group Art Unit	3736
Examiner Name	
Attorney Docket Number	41482/205541

Total Number of Pages in This Submission

## ENCLOSURES (check all that apply)

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Preliminary Amendment / Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
|--|---|--|



Remarks

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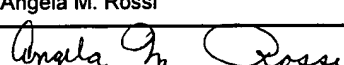
GROUP 3700

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Bruce D. Gray, Reg. No. 35,799	
Signature		23370 PATENT TRADEMARK OFFICE
Date	10/15/01	

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: 10/15/01

Typed or printed name	Angela M. Rossi		
Signature		Date	10/15/01

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

## Complete if Known

TOTAL AMOUNT OF PAYMENT (\$) 76.00

Application Number 09/574,461  
Filing Date May 18, 2000  
First Named Inventor Talish  
Examiner Name  
Group / Art Unit 3736  
Attorney Docket No. 41482/205541

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

11-0855

Deposit  
Account  
Name

Kilpatrick Stockton LLP

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

### 2. EXTRA CLAIM FEES

Total Claims	29	-25	=	4	X	Fee from below	18	=	76.00
Independent Claims	04	-4	=	0	X			=	0
Multiple Dependent					X			=	0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 76.00)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0)

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Bruce D. Gray	Registration No. Attorney/Agent)	35,799	Telephone	404.815.6218
Signature				Date	10/15/01

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